

**From:** <kstanton@sdahq.org>  
**To:** <fb4p@oce.usda.gov>  
**Date:** Fri, Dec 8, 2006 1:50 PM  
**Subject:** RIN number 0503-AA32: Proposed Designation of Items

Please find attached below our comments on the amendments to 7 CFR part 2902, Guidelines for Designating Biobased Products for Federal Procurement.

(See attached file: SDA comments on USDA's proposed rule on biobased bath tile laundry 120806.pdf)

Please contact me with any questions,  
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## The Soap and Detergent Association

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December 8, 2006

Marvin Duncan  
U.S. Department of Agriculture (USDA)  
Office of the Chief Economist  
Office of Energy Policy and New Uses  
Rm 4059, South Building  
1400 Independence Avenue, SW, MS-3815  
Washington, DC 20250-3815

RE: RIN number 0503-AA32: Proposed Designation of Items

Dear Dr. Duncan:

The Soap and Detergent Association (SDA) appreciates the opportunity to comment on U.S. Department of Agriculture's (USDA) notice on *Designation of Biobased Items for Federal Procurement* published in the October 11, 2006 Federal Register.

The Soap and Detergent Association is a 100 plus-member national trade association representing the formulators of soaps, detergents and general cleaning products used in household, industrial, institutional and commercial settings, and the companies that supply ingredients and packaging for these products. SDA members produce products covered by the notice, as well as supply their ingredients.

We are concerned that industry groups representing manufacturers of the covered products were not contacted during the industry investigation phase. SDA has provided our contact information, along with that of other trade organizations representing these manufacturers. The background information indicates that SDA was investigated, but not directly contacted. Contact with SDA staff would have resulted in a better understanding of our members' formulations with raw materials. In fact, almost all of the fats and oils used to produce soaps and many surfactants come from oleochemicals. SDA recommends that USDA reevaluate the criteria with which they conducted their industry investigation to use terms which would not exclude SDA members' products without scientific reason.

While the proposed rule clearly states that the "cradle-to-grave" impacts must be compared by Federal agencies in purchasing, the concept is ignored by designating a percentage of biobased content for cleaning products. In fact, section 9002 of FSRIA requires USDA to provide information to procuring agencies on the, "availability..., environmental and public health benefits of such items." However, the applicable life cycle studies which demonstrate no clear advantage for cleaning product ingredients derived from renewable resources are not referenced. We recommend that these studies are considered for inclusion.

Bath and Tile Cleaners

We recommend that this category be divided into no less than two subcategories. The formulation, concentration, product form, and other attributes of any product will be dependent on intended use and should be categorized as such. We recommend that "General Purpose" cleaners not be considered under this proposed rule because of their use in many cleaning scenarios.

SDA recommends that American Society for Testing and Materials (ASTM) International standards are included in the ruling (Guide for Evaluating Cleaning Performance of Ceramic Tile cleaners [D5343-06] and Guide for Testing Cleaning Performance of Products Intended for Use on Resilient Flooring and Washable Walls [D4488-95]).

While SDA does not do inventories of all our members' products, a survey in 2003 by the California Air Resources Board (ARB) provides an example of the extent of products overlooked by USDA. That survey identified 338 tile cleaners sold in the state of California alone. We are therefore highly concerned that USDA's data collection methods are deficient. We recommend that a very thorough evaluation of tile cleaners be undertaken before finalizing the designation of biobased products. Logic also follows that the assessments performed (both BEES and biobased content) may not be representative of all products on the market; rather, they represent a small subset of products. These assessments should also be expanded to be representative of the market for these products.

SDA also recommends that the ASTM active standard D6866-06 (standard test methods for determining the biobased content of natural range materials using radiocarbon and isotope ratio mass spectrometry analysis) replace the historical D6866-04.

Within the products that were identified as Bath and Tile Cleaners, some do not seem accurate to the proposed definition. One is described as a "... (product) that eliminates the need to add chemicals to hot tub and spa water." Four are described as toilet bowl cleaners ([Close the Loop, Inc.] N-8 Clinging Toilet bowl Cleaner, [Gemtek products] Safe Care Toilet Bowl Cleaner, [Restore Products] Toilet Bowl Cleaner, and [The Clean environment Co.] N-8 Clinging Toilet Bowl Cleaner). There were also All-Purpose cleaners included in the product list. We recommend the category be clearly defined and restricted to bath and tile cleaners only.

Laundry

We recommend that this category be divided by each of the product descriptions (i.e., laundry detergents, bleach, starch, stain removers, fabric softeners, etc). The proposed categorization into pretreatment and spot remover and general purpose products would not accurately reflect the differences in formulations, product form, and intended use of the various laundry products. SDA also recommends that fabric softeners be divided into washer and dryer products because of the differences in delivery systems (liquid penetration versus deposition through a heated tumbling dryer). We recommend also that the statement referring to the, "...skin-irritating residues and ...toxic chemicals" be omitted from the ruling, as this statement has no bearing on the final ruling.

SDA recommends that the appropriate American Society for Testing and Materials (ASTM) International (Guide for Controlled Laundering Test Using Naturally Soiled Fabrics and Household Appliances [D2960-05], Guide for Evaluating Fabric Softeners [D5237-05], and Guide for Evaluating Color Transfer or Color Loss of Dyed Fabrics in Laundering [D5548-005]) and American Home Appliance Manufacturers (AHAM) standards are included in the ruling.

These ASTM standards are designed, approved, and used by laundry product manufacturers to evaluate product performance.

As indicated above, SDA does not do inventories of all our members' products. California ARB surveys provide examples of the extent of products overlooked by USDA. Surveys in 1995 and 2003 revealed 92 liquid laundry detergents, 360 spot removers, 56 prewash products, 68 brighteners, 47 detergent boosters, and 21 different fabric wash products for sale in the state of California alone. We are therefore highly concerned that USDA's data collection methods are deficient. We recommend that a very thorough evaluation of laundry products be undertaken before finalizing the designation of biobased products. Logic also follows that the assessments performed are not representative of all products on the market; in this case, five products were evaluated for biobased content and only one product was submitted for BEES analysis. SDA recommends that testing be performed in at least each proposed product category to accurately reflect the market for these products.

As indicated above, SDA also recommends that the ASTM active standard D6866-06 (standard test methods for determining the biobased content of natural range materials using radiocarbon and isotope ratio mass spectrometry analysis) replace the historical D6866-04.

Within the products that were identified as Laundry Products, some do not seem accurate to the proposed definition. One is described as a "... (product) for all your soft household surfaces, closets and storage areas. It is all natural with light but long-lasting fragrance for freshness on your carpets, sofas, draperies, etc. It is excellent when used to freshen drawers and closets." We recommend the category be clearly defined and restricted to laundry products only.

#### Summary and Conclusions

We thank the USDA for providing us the opportunity to comment on the proposed rule. SDA recommends that a more thorough investigation be conducted by USDA prior to the publication of a final rule. SDA also recommends the definition of the categories be refined based on our input, and that analyses be carried out on products that represent the full range of the product categories that appear to have been overlooked in USDA's initial investigation.

The Soap and Detergent Association invites USDA to contact us with any further questions.

Sincerely,

Kathleen Stanton

Kathleen Stanton  
Associate Director, Scientific Affairs

Industry Contacts: Bath and Tile Cleaners and Laundry Products

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